

BILL NO. Z-69-04- 30

ZONING MAP ORDINANCE NO. Z- 80-69

AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. F-1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. That the area described as follows is hereby  
designated an R-3 District under the terms of Chapter 36,  
Municipal Code of the City of Fort Wayne, Indiana, 1946, as  
amended by General Ordinance No. 2836; and the symbols on the  
City of Fort Wayne Zoning Map No. F-1 referred to therein,  
established by Section 9, Article III of said Chapter as amended,  
are hereby changed accordingly, to-wit:

All of Lots 8, 9 and 10, and Lot 7 except  
the South 600 feet (with dimensions starting  
at the centerline of Lake Avenue and running  
North) in J. H. Feichter's Gardenview Addi-  
tion, City of Fort Wayne, Indiana.

SECTION 2. This Ordinance shall be in full force and  
effect from and after its passage, approval by the Mayor, and  
legal publication thereof.

Thomas F. Adams

APPROVED AS TO FORM  
AND LEGALITY

*John C. Bernold*  
CITY ATTORNEY

Read the first time in full and on motion by Adams seconded by Rousseau and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_ 196\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 4-22-69

Freud G. Bonahoom  
City Clerk

Read the third time in full and on motion by Rousseau seconded by Robinson and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

AYES	<u>9</u>	NAYS	<u>0</u>	ABSTAINED	ABSENT	to-wit:
Adams	<u>✓</u>					
Dunifon	<u>✓</u>					
Fay	<u>✓</u>					
Geake	<u>✓</u>					
Nuckols	<u>✓</u>					
Robinson	<u>✓</u>					
Rousseau	<u>✓</u>					
Steigerwald	<u>✓</u>					
Tipton	<u>✓</u>					

Date 7-22-69

Freud G. Bonahoom  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. Z-80-69 on the 22<sup>nd</sup> day of July, 1969.

ATTEST:

(SEAL)

Freud G. Bonahoom  
City Clerk

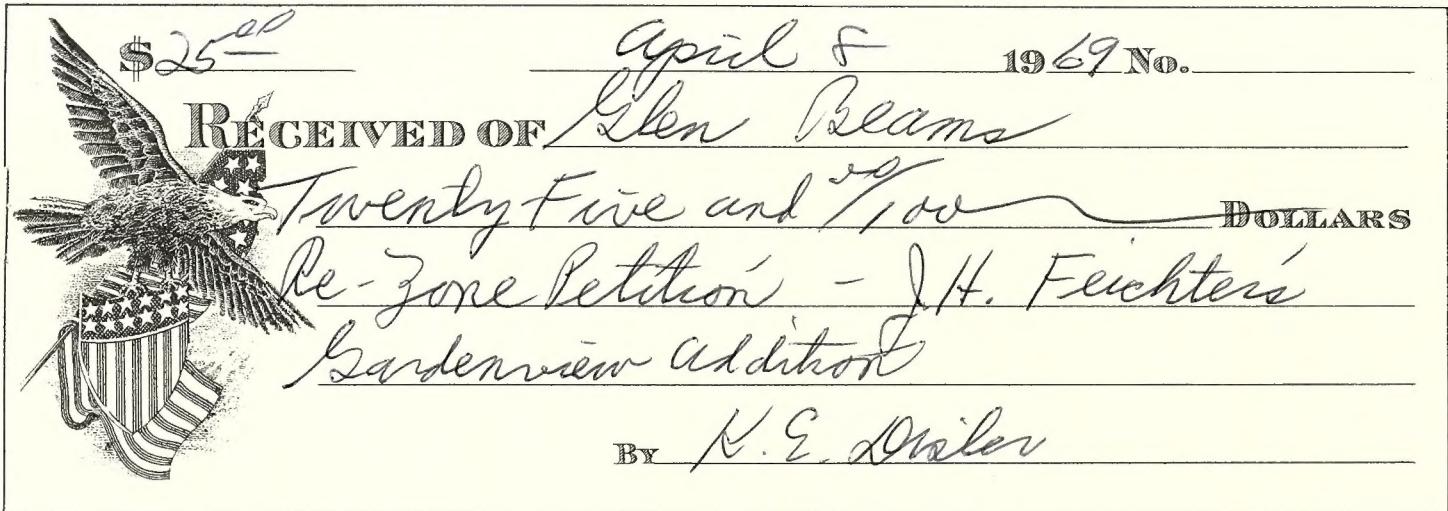
Herbert R. Tipton  
Presiding Officer

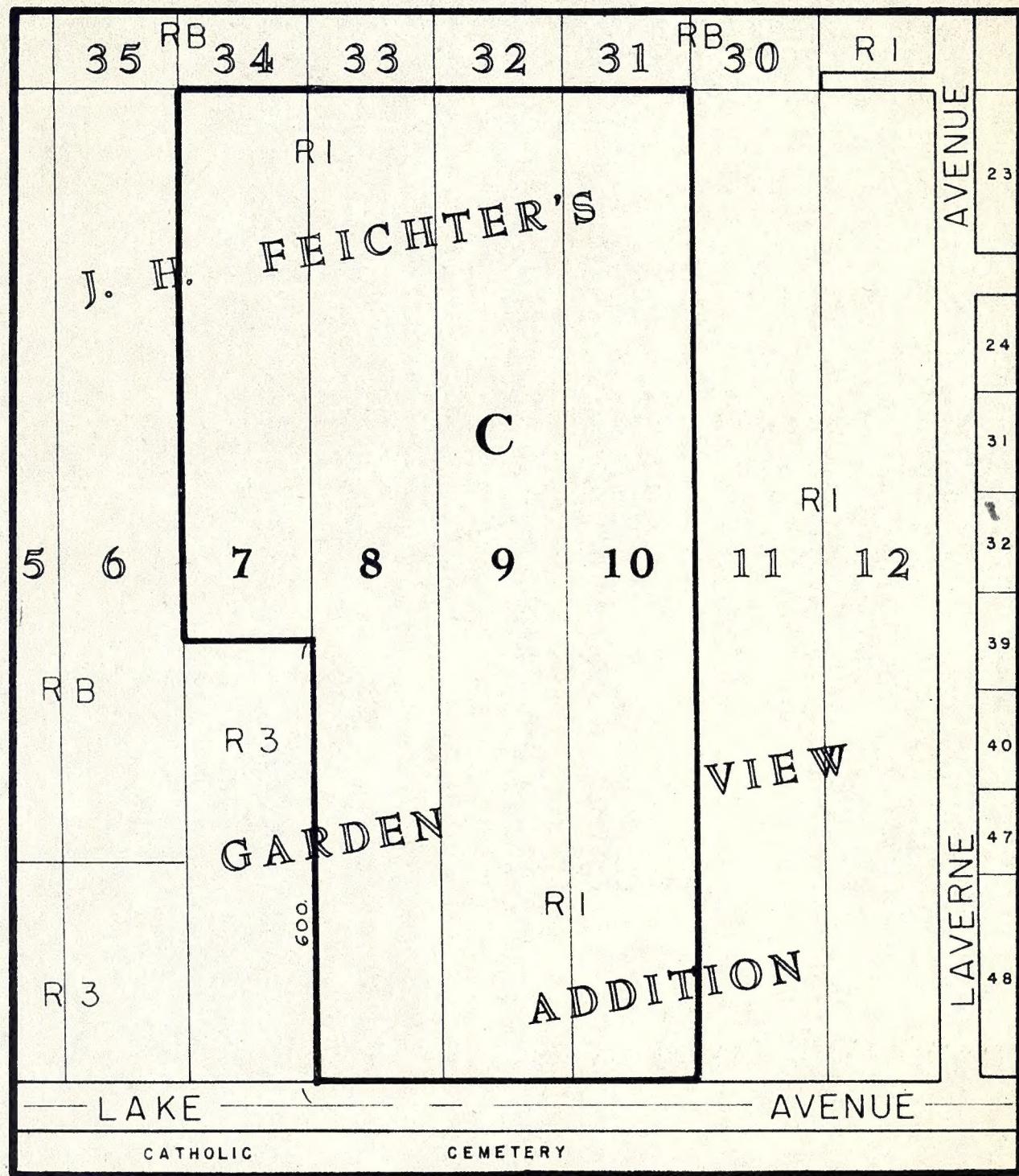
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23<sup>rd</sup> day of July, 1969 at the hour of 8:30 o'clock A.M., E.S.T.

Freud G. Bonahoom  
City Clerk

Approved and signed by me this 24<sup>th</sup> day of July, 1969, at the hour of 10:32 o'clock A.M., E.S.T.

Harold S. Zeis  
Mayor





C CHANGE FROM RI TO R 3

Z-69-04-30

N

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 22, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-04-30; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 19, 1969;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 26, 1969.

Certified and signed this  
22nd day of July 1969.

*Mary Ann Haynie*  
Mary Ann Haynie  
Secretary

Bill No. Z-69-04-30

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. F-1,

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS. 

EDWIN J. ROUSSEAU, Chairman

JOHN H. ROBINSON, Vice-Chairman

THOMAS G. ADAMS

JACK K. DUNLEON

RHIL A STEIGERWALD

beg leave to report back to the Common  
Commons  
John B. Dill  
Thomas G. Cutshaw  
Joseph B. Daniels  
Philip D. Mayhew

**CONCURRED IN**

DATE 7-22-69 EUAD G. BONAHOOM, CITY CLERK

PETITION TO RE-ZONE

RE: Bill No. Z-69-04-

We, the undersigned, being the owners of more than Fifty One Percent (51%) of the real estate hereinafter described, do hereby respectfully petition the Common Council of the City of Fort Wayne, Indiana, to enact an Ordinance to re-classify from an R-1 to a R-3 the real estate described as follows, to wit:

~~Lots Eight (8), Nine (9), Ten (10) and the North  
One (1) acre of Lot Seven (7) J H Feichter's  
Gardenview Addition, City of Fort Wayne, Indiana~~

The undersigned, Jacob H. Feichter, Lucille L. Feichter, husband and wife, represent to the Common Council that they are the present owners of all of the above described real estate.

Jacob H. Feichter

Lucille L. Feichter

OWNERS

By Glen J. Beams  
Glen J. Beams

Helmke, Philips & Beams  
Attorneys for Petitioners  
By Glen J. Beams

ALL OF LOTS EIGHT (8), NINE (9), TEN (10), AND LOT SEVEN (7), EXCEPT THE SOUTH 600 FEET (WITH DIMENSIONS STARTING AT THE CENTERLINE OF LAKE AVE. AND RUNNING NORTH) IN J. H. FEICHTER'S GARDENVIEW ADDITION, CITY OF FORT WAYNE, INDIANA.

DEED OF DEDICATION

THIS INDENTURE WITNESSETH that Jacob H. Feichter and Lucille L. Feichter, husband and wife, and each over the age of Twenty One (21) years, of Allen County, in the State of Indiana, hereby convey and dedicate to the public for street purposes only, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, receipt whereof is hereby acknowledged,

The South Ten (10) feet of Lots numbered Eight (8), Nine (9) and Ten (10) J. H. Feichter's Gardenview Addition to the City of Fort Wayne, according to the recorded plat thereof; the same constituting a strip of land Ten (10) feet in width lying contiguous and immediately adjacent and North of the present North right-of-way line of Lake Avenue in the City of Fort Wayne.

It is the intent of this Dedication to establish a 40-foot right-of-way for street purposes North of the centerline of Lake Avenue in the City of Fort Wayne.

WITNESS our hands and seals this 16 day of July, 1969.

Jacob H. Feichter (Seal)  
Jacob H. Feichter

Lucille L. Feichter (Seal)  
Lucille L. Feichter

STATE OF INDIANA )  
                      ) SS:  
COUNTY OF ALLEN )

Before me a Notary Public in and for said County and State this 16 day of July, 1969, personally appeared Jacob H. Feichter and Lucille L. Feichter, husband and wife, and each over the age of Twenty One (21) years, and acknowledged the execution of the within and foregoing instrument as their free and voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

Glen J. Beams  
Glen J. Beams Notary Public

My Commission Expires:

October 30, 1971

This instrument was prepared by Glen J. Beams, Attorney at Law

RESTRICTIVE COVENANT

KNOW ALL MEN by these presents, that the undersigned, Jacob H. Feichter and Lucille L. Feichter, husband and wife, and Vogel Realty Corp., an Indiana corporation, do hereby covenant and agree to and with all persons, firms or corporations, now owning or hereafter acquiring any of the following described real estate in Allen County, Indiana, to wit:

1. The North One (1) acre of Lot Seven (7) and Lots Eight (8), Nine (9) and Ten (10) J. H. Feichter's Gardenview Addition to the City of Fort Wayne, Indiana now owned by Jacob H. Feichter and Lucille L. Feichter, husband and wife, and
2. The South One (1) acre of the North Two (2) acres of Lot Seven (7) J. H. Feichter's Gardenview Addition to the City of Fort Wayne, Indiana now owned by Vogel Realty Corp.

hereby subject said real estate to the following restriction as to the use thereof running with said property by whomsoever owned, to wit:

1. Should any of said real estate be used for apartments or multiple-family dwelling, the density of said dwelling units shall not be in excess of Twenty One (21) units per acre.
2. This covenant is to run with the land and shall be binding on all parties and all persons claiming under them.

IN WITNESS WHEREOF, the parties hereto have executed this instrument this \_\_\_\_\_ day of July, 1969.

Jacob H. Feichter  
Jacob H. Feichter

Lucille L. Feichter  
Lucille L. Feichter

VOGEL REALTY CORP.

By President

ATTEST:

M. Patricia Vogel  
Secretary

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, a Notary Public in and for said County and State, on this 17th day of July, 1969, personally appeared Jacob H. Feichter and Lucille L. Feichter, husband and wife, and also appeared Vogel Realty Corp. by its President Ernest H. Vogel and its Secretary M. Patricia Vogel, and each acknowledged the execution of the above and foregoing Restrictive Covenant to be his and her voluntary act and deed.

Witness my hand and Notarial Seal.

Michael C. Dahm  
Michael C. Dahm Notary Public

My Commission Expires:

December 28, 1969

This instrument was prepared by Glen J. Beams, Attorney at Law

Common Council, City of Ft. Wayne  
(Governmental Unit)

Allen County, Ind.

To.....NEWS-SENTINEL.....Dr.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head	number of lines	_____
Body	number of lines	73
Tail	number of lines	1
Total number of lines in notice		74

## COMPUTATION OF CHARGES

74	lines, columns wide equals.....	equivalent lines at.....	288 <sup>4</sup>	\$ 21.31
cents per line				
Additional charge for notices containing rule or tabular work (50 per cent of above amount)				
Charge for extra proofs of publication (50 cents for each proof in excess of two)				
TOTAL AMOUNT OF CLAIM				
\$ 21.31				

## DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type.....	5 <sup>1</sup> <sub>2</sub> .....	point
Number of insertions 2	Size of quad upon which type is cast.....	5 <sup>1</sup> <sub>2</sub> .....	

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*A. M. Hostman*

Date August 11, 1969

Title.....Clerk.....

## Legals

Notice is hereby given that on the 22nd day of July, 1969, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Zoning Map ordinance, to-wit: Bill No. 7-69-04-30

**ZONING MAP ORDINANCE NO. Z-80-69**  
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-1, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836; and the symbols on the City of Fort Wayne Zoning Map No. F-1 referred to therein, established by section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

All of Lots 8, 9 and 10, Lot 7 except the South 600 feet (with dimensions starting at the centerline of Lake Avenue and running North) in J. H. Feichter's Gardenview Addition, City of Fort Wayne, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after approval by the Mayor, and

thereafter.

Subscribed and sworn to before me this 11th day of August 1969

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman, who, being duly sworn, says that She is Clerk of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

July 31, 1969

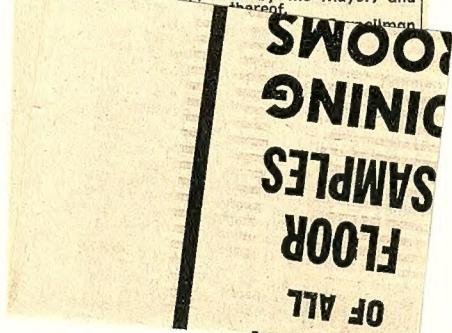
August 7, 1969

*A. M. Hostman*

Subscribed and sworn to before me this 11th day of August 1969

*Edith Stapleton*  
Notary Public

My commission expires March 8, 1970



Common Council, City of Ft. Wayne  
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

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— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

## COMPUTATION OF CHARGES

74 lines, columns wide equals equivalent lines at .288¢ cents per line \$ 21.31

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

\$ 21.31

TOTAL AMOUNT OF CLAIM

\$

## DATA FOR COMPUTING COST

Width of single column 11 ems Size of type  $5\frac{1}{2}$  pointNumber of insertions 2 Size of quad upon which type is cast  $5\frac{1}{2}$ 

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Arvilla De Wald*

Date August 11, 1969

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DE WALD who, being duly sworn, says

that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time<sup>s</sup>, the dates of publication being as follows:

July 31, 1969

August 7, 1969

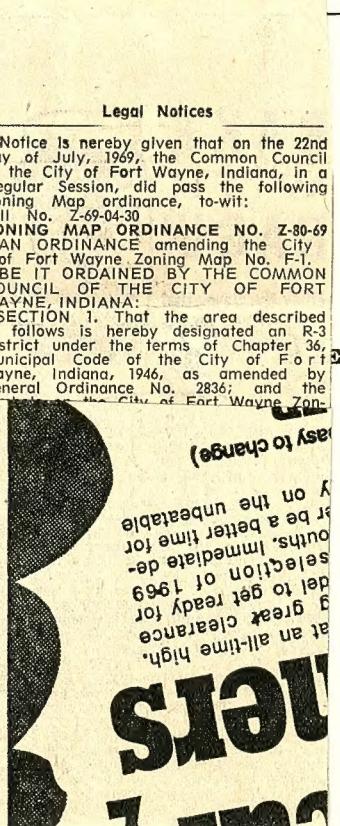
*Arvilla De Wald*

Subscribed and sworn to before me this 11th day of August 1969

*Edith Stapleton*

Notary Public

My commission expires March 8, 1970



Head	number of lines	_____
Body	number of lines	<u>73</u>
Tail	number of lines	<u>1</u>
Total number of lines in notice		<u>74</u>

#### COMPUTATION OF CHARGES

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<b>TOTAL AMOUNT OF CLAIM</b>	
	\$ 21.31

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Number of insertions 2	Size of quad upon which type is cast $5\frac{1}{2}$

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*A. M. Hostman*

Date August 11, 1969

Title Clerk

#### Legals

Notice is hereby given that on the 22nd day of July, 1969, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Zoning Map ordinance, to-wit:

Bill No. Z-69-04-30  
**ZONING MAP ORDINANCE NO. Z-80-69**

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-1, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836; and the symbols on the City of Fort Wayne Zoning Map No. F-1 referred to therein, established by section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

All of Lots 8, 9 and 10, Lot 7 except the South 600 feet (with dimensions starting at the centerline of Lake Avenue and running North) in J. H. Feichter's Gardenview Addition, City of Fort Wayne, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

THOMAS G. ADAMS, Councilman  
Read the third time in full and on motion by Rousseau seconded by Robinson and duly adopted, placed on its passage. Passed by the following vote: Ayes, nine — Adams, Dunifon, Fay, Geake, Nuckols, Robinson, Rousseau, Steigerwald, Tipton.

Nays, none.  
Date: 7-22-69  
**FUAD BONAHOOM**, City Clerk  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-80-69, on the 22nd day of July, 1969.

ATTEST: **FUAD G. BONAHOOM**,  
City Clerk

**HERBERT G. TIPTON**,  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 1969 at the hour of 8:30 o'clock A.M., E.D.T.

**FUAD G. BONAHOOM**, City Clerk

#### PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned. **A. M. Hostman** who, being duly sworn, says that She is Clerk of the

**NEWS-SENTINEL**

a. **DAILY** newspaper of general circulation printed and published in the English language in the city of **FORT WAYNE, INDIANA** in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

July 31, 1969

August 7, 1969

*A. M. Hostman*

Subscribed and sworn to before me this 11th day of August 1969

*Edith Stapleton*

Notary Public

My commission expires March 8, 1970

Total number of lines in notice

## COMPUTATION OF CHARGES

74 lines, ..... columns wide equals ..... equivalent lines at ..... 288¢  
 cents per line

\$ 21.31

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

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## TOTAL AMOUNT OF CLAIM

\$

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type  $5\frac{1}{2}$  point

Number of insertions ..... 2

Size of quad upon which type is cast  $5\frac{1}{2}$ 

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date August 11, 1969

*Arvilla De Wald*  
CLERK

## Legal Notices

Notice is hereby given that on the 22nd day of July, 1969, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Zoning Map ordinance, to-wit:

BILL NO. 49-04-30  
**ZONING MAP ORDINANCE NO. Z-80-69**  
 AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-1, BE ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836; and the symbols on the City of Fort Wayne Zoning Map No. F-1 referred to therein, established by section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

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SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

THOMAS G. ADAMS, Councilman  
 Read the third time in full and on motion by Rousseau seconded by Robinson and duly adopted, placed on its passage. Passed by the following vote:

Ayes, nine — Adams, Dunlou, Fay, Geake, Nuckles, Robinson, Rousseau, Steigerwald, Tipton.

Nays, none.

Date: 7-22-69

FUAD BONAHOOM, City Clerk  
 Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-80-69 on the 22nd day of July, 1969.

ATTEST: FUAD G. BONAHOOM,  
 City Clerk

HERBERT G. TIPTON,  
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 1969, at the hour of 8:30 o'clock A.M., E.D.T.

FUAD G. BONAHOOM, City Clerk  
 Approved and signed by me this 24th day of July, 1969, at the hour of 10:32 o'clock A.M., E.D.T.

HAROLD S. ZEIS, Mayor  
 I, Fuad G. Bonahoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a

## PUBLISHER'S AFFIDAVIT

State of Indiana  
 ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned *ARVILLA DE WALD* who, being duly sworn, says that she is *CLERK* of the

## JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of *FORT WAYNE, INDIANA* in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time<sup>s</sup>, the dates of publication being as follows:

*July 31, 1969*

*August 7, 1969*

Subscribed and sworn to before me this 11th day of

*August 19, 1969*

*Arvilla De Wald*  
*Edith Stapleton*  
 Notary Public

My commission expires

*March 8, 1970*